

EXHIBIT

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10 *Attorneys for Defendants*

11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 NATIONAL FAIR HOUSING
14 ALLIANCE, INC.,

15 Plaintiff,

16 v.

17 OVATION DEVELOPMENT
18 CORPORATION; OVATION-AGT JV
19 L.L.C.; OVATION-AGT JV MM, INC.;
20 STEPHANIE APTS. SPE I, L.L.C.;
21 STEPHANIE APTS. SPE I MM, L.L.C.;
22 STEPHANIE APTS. SPE CORP., INC.;
23 WIGWAM-PARVIN, L.P.; WIGWAM
24 GP, INC.; B-R OVATION, L.P.; B-R
25 OVATION GP, INC.; JEFFREYS APTS.,
L.L.C.; SW RANCH, APTS. L.L.C.; SW
RANCH APTS. MM, INC.; LONE
MOUNTAIN APTS. I L.P.; LONE
MOUNTAIN APTS. GP, INC.; ARBORS
PARK RUN, L.L.C.; ARBORS APTS.,
L.L.C.; ARBORS APTS. MM, INC.;
SPRING MOUNTAIN APTS I L.P.;
SPRING MOUNTAIN GP, INC.;
THUNDER ROAD DEVELOPMENT,
L.L.C.; THUNDER ROAD MM, INC.;
RUSSELL APTS, L.L.C.; and RUSSELL
APTS MM, INC.;

Defendants.

Case No.: 2:07-CV-01037-PMP-PAL

OFFER OF JUDGMENT

TO: Plaintiff, National Fair Housing Alliance, Inc.:

Pursuant to FRCP 68, Defendants OVATION DEVELOPMENT

CORPORATION; OVATION-AGT JV L.L.C.; OVATION-AGT JV MM, INC.;

1 STEPHANIE APTS. SPE I, L.L.C.; STEPHANIE APTS. SPE I MM, L.L.C.;
2 STEPHANIE APTS. SPE CORP., INC.; WIGWAM-PARVIN, L.P.; WIGWAM GP,
3 INC.; B-R OVATION, L.P.; B-R OVATION GP, INC.; JEFFREYS APTS., L.L.C.; SW
4 RANCH, APTS. L.L.C.; SW RANCH APTS. MM, INC.; LONE MOUNTAIN APTS. I
5 L.P.; LONE MOUNTAIN APTS. GP, INC.; ARBORS PARK RUN, L.L.C.; ARBORS
6 APTS., L.L.C.; ARBORS APTS. MM, INC.; SPRING MOUNTAIN APTS I L.P.;
7 SPRING MOUNTAIN GP, INC.; THUNDER ROAD DEVELOPMENT, L.L.C.;
8 THUNDER ROAD MM, INC.; RUSSELL APTS, L.L.C.; and RUSSELL APTS MM,
9 INC., hereby offer to resolve this entire action by allowing a judgment to be entered
10 against them in the total monetary sum of **\$750,000** inclusive of costs accrued.
11 Defendants will enter into an agreement with Plaintiff to perform specified retrofit work
12 on the following eleven properties: Acapella, Adiamo, Amalfi, Firenze, Positano, Tesora,
13 Tivoli, Tuscany, Venicia, Verona and Viviani.

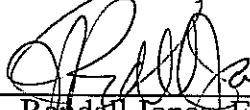
14 No partial acceptance of this Offer of Judgment may be made, and any attempt to
15 accept only part of this Offer will be construed as a rejection of the entire Offer.

16 This Offer of Judgment is made for the purposes specified in FRCP 68 and is not
17 to be construed as an admission of anything whatsoever. This Offer of Judgment shall be
18 deemed withdrawn for the purposes of FRCP 68 if not accepted by the Plaintiff within
19 ten (10) judicial days from the date of service hereof.

20 DATED this 28th day of August, 2009.

21 Respectfully submitted,

22 HARRISON, KEMP, JONES &
23 COULTHARD, LLP

24 
25 J. Randall Jones, Esq.
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CERTIFICATE OF SERVICE


I hereby certify that on the 28th day of August, 2009, the foregoing **OFFER OF JUDGMENT** was served on the following person(s) via first class mail:

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